

JOHN MARTINI,

Plaintiff,

- against -

CITY OF NEW YORK, et al.,

Defendants.

JAMES C. FRANCIS IV  
UNITED STATES MAGISTRATE JUDGE

: 05 Civ. 9881 (RJS) (JCF)

: O R D E R

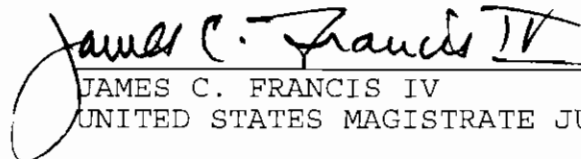
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Defendants having applied by letter dated January 22, 2008 for an order dismissing plaintiff's emotional distress claims and compelling discovery, it is hereby ORDERED as follows:

1. Plaintiff's emotional distress claims are dismissed. The legal arguments he advances for declining to execute releases for mental health records were previously rejected in several RNC cases. It is too late in the day for plaintiff to seek additional time for compliance. This determination renders moot defendants' request that the emotional distress claims be dismissed due to plaintiff's failure to provide releases for certain arrest records.

2. Within ten days of the date of this Order, plaintiff shall produce all photographs of protests in the vicinity of the World Trade Center on August 31, 2004.

SO ORDERED.

  
JAMES C. FRANCIS IV  
UNITED STATES MAGISTRATE JUDGE

Copies mailed this date:

Scott A. Korenbaum, Esq.  
111 Broadway, Suite 1305  
New York, New York 10006

Jeffrey C. Brooks, Esq.  
Assistant Corporation Counsel  
100 Church Street  
New York, New York 10007